



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/882,015	06/15/2001	Robert A. Schultz	66794	9911

22242 7590 06/18/2003

FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 60603-3406

EXAMINER

BENENSON, BORIS

ART UNIT	PAPER NUMBER
----------	--------------

2836

DATE MAILED: 06/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/882,015

Applicant(s)

SCHULTZ, ROBERT A.

Examiner

Boris Benenson

Art Unit

2836

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4,6,7,11,12 and 14 is/are rejected.
- 7) ☒ Claim(s) 3,5,8-10 and 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: _____

Art Unit: 2836

Claim Objections

1. Claim 10 objected to because of the following informalities: it probably should be "aspect ratio of approximately unity" instead of "aspect of approximately unity". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1,2,4,6,7,11,12 and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by Urushibata (5787619). Urushibata disclosed a magnetic display erasing apparatus comprising a plurality of fixed magnet with a plurality of magnetic poles (Fig.1, Pos.2a-2d) providing magnetic flux across a gap, such magnetic poles spaced at roughly similar intervals across the gap so at every point a media passing through the gap is influenced by a magnetic field resulting from adjacent poles or different set of adjacent poles that changes direction over the course pf passage. Walls of chassis (Fig. 8, Pos.40) are

Art Unit: 2836

functions as a guide for constraining the media passing through the gap formed by the plurality of poles.

Referring to Claim 7, Urushibata disclosed device where a permanent magnet (Fig.7b, Pos. 10), attached to erasing head (1) is formed in U-lake shape, providing magnetic field on opposite sides of the pathway (1a) established for media passage.

Referring to Claim 2 and 12, Urushibata disclosed an erasing apparatus where "the permanent magnet (Fig.7b, Pos. 11) produces a magnetic field which is substantially perpendicular to the card conveying direction, and the permanent magnet (10) produces a magnetic field which is substantially parallel to the card conveying direction.

Referring to Claim 4, guiding walls (Fig.7a, Pos. 40) restrict a media wider then designed from passing the apparatus and define position of the media to place it to more effective region of the degaussing fields. A size of slit (Fig.7b, Pos. 1a) is limiting thickness of the media to be degaussed.

Allowable Subject Matter

3. Claims 3,5,8-9 and 13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Art Unit: 2836

Claim 3 is allowable because none of the prior art of record disclose a balk degausser comprising an adjustment means for adapting the gap between the poles to different media thickness in combination with the other claim limitations.

Claims 5 and 13 are allowable because none of the prior art of record disclose a balk degausser that extracts the media with magnetically attractive components from the fields in combination with the other claim limitations.

Claims 8-9 are allowable because none of the prior art of record disclose a balk degausser comprising of at least two multi-poled degaussing regions, differing in their orientation so as to avoid regional weaknesses of singular arrangements in combination with the other claim limitations.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Benenson whose telephone number is (703) 305-6917. The examiner can normally be reached on M-F (8:20-6:00) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Brian Sircus can be reached on (703) 308-3119. The fax phone numbers for the organization where this application or proceeding is assigned

Application/Control Number: 09/882,015

Page 5

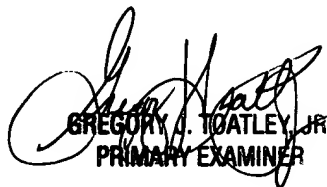
Art Unit: 2836

are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Boris Benenson
Examiner
Art Unit 2836

B.B.
June 11, 2003


GREGORY J. TOATLEY, JR.
PRIMARY EXAMINER